



Committee on Student Promotions and Professional Standards

TO: Members, Committee on Student Promotions and Professional Standards

FROM: Nadine Katz, MD (Chair) 
Jimmy David, MD 

DATE: July 19, 2004

RE: MEETING AGENDA

☐ Michael Tyberg

Michael returns to the Committee after his appearance at the Committee's May 17th meeting. At that time, it was recommended that he be withdrawn from the medical school program. From the letter sent Michael after that meeting:

"At the May 17th meeting, the Committee reviewed your academic record, and was alarmed at the number of failed exams to date. You spoke to the assembled, offering extenuating circumstances of a personal nature. I am sorry it came as such a shock – but the Committee has made an initial, provisional recommendation that you be withdrawn from the medical school program. The number of failed exams is the crux of the matter, as you know, as is the extended period over which this occurred. In other words, it was not a short period of difficulty."

Relevant attachments include:

excerpt: Committee agenda (5/17/04) re: Michael attachment #1a
Academic schematic, annotations attachment #1b
e-mail from Michael (5/1/03) re: MCFM make-up exam attachment #1c
excerpt: Committee minutes (of 5/17/04) re: Michael attachment #1d
Written/verbal statement expected at meeting.

☐ Jeevan Padiyar

From the minutes of the Committee's May meeting:

"The Committee was distributed a summary of the circumstances and copies of correspondence surrounding this 'disciplinary consultation' for the Sue Golding Graduate Division. The applicable by-law was familiar to most members. The page-long summary of events included Jeevan's suspension from the BSL-3. Short on time, the matter was to be investigated further via the ad-hoc subcommittee process, and would be followed further at the full Committee's June meeting."

Committee on Student Promotions and Professional Standards

TO: Members, Committee on Student Promotions and Professional Standards

FROM: Nadine Katz, MD
James David, MD

DATE: May 17, 2004

RE: MEETING AGENDA

Michael Tyberg

Michael's academic schematic is attachment #2a. His initial academic year, 2002-2003, entailed quite a number of failed exams. He declined to switch to part-time, at the time, and he explained that his grandmother had suffered a stroke – on top of his living with his family of origin in Brooklyn. Late in the year, he came to the office breathlessly, having learned that his MCFM make-up exam was the next day (rather than a week away, as he had thought, as in attachment #2b). At that time, he seemed to appreciate that commuting from Brooklyn was jeopardizing his career prospects.

The current year, 2003-2004, Michael, by necessity, continued on a part-time schedule – repeating the latter portion of MCFM. He failed Unit #5 for the second time, with attendance points hanging in the balance. Since a year ago, he has married, and continued living in Brooklyn in 03-04.

ATTACHMENT
1a

Name: **Michael Tyberg**Date of Matriculation: **August 2002**Date: **7/16/04*****Year 1 - 2002/2003***

<u>Histology:</u> Exam 1 F 53.7 Final Grade: F 54.7 Make-up P 65	<u>Anatomy:</u> 1. Pass 2. Pass 3. Fail Unit #3 : Pass Final Grade: PASS	<u>CV Phys:</u> P 64.3	<u>Renal:</u> Exam 1 F 64 Exam 2 F 56.6 Final Grade F 53.4 Make-up - P 96
<u>MCFM:</u> 1. P 65.3 2. P 80.9 3. P 86.2 4. P 75.9 5. F 59.5 6. P 67.8 Final Average: 72.4 Make-up - F 64.4 MUST REPEAT UNITS: 4, 5, 6		<u>Dis Mech:</u> P 82.1	<u>Pharm:</u> Exam 1 P 69.4 Final P 89.2
<u>ICM: Intro to Patient</u> PASS	<u>ICM: Clinical Experience</u> PASS	<u>Preventive Medicine:</u> PASS	

Exams failed: 6

Year 2 - 2003/2004

<u>MCFM:</u> 4. P 75.9 5. F 59.5 6. P 67.8 Final Average: 76.1 Make-up - P 78.3			
<u>Endocrine</u> P 78.8	<u>Repro</u> P 69	<u>Pulmonary</u> Exam 1 - 12/19/03 (excused*) Exam 2 - 2/2/04 (excused*) Final Make-up - Did not sit	<u>GI/Liver</u> P 79
			<u>Hematology</u> Exam 5/5/04 F - 0** Make-up P 78

Exams failed: 4

* Conflict w/MCFM exams, requested permission to take make-up

** 5/11/04 - emailed Dr. David, requested permission to take make-up because he was sick on day of exam

ATTACHMENT# 16

SPR- 0048

Committee on Student Promotions and Professional Standards

TO: Members, Committee on Student Promotions and Professional Standards

FROM: Nadine Katz, MD
James David, MD

DATE: May 30, 2004

RE: MEETING MINUTES – Meeting of May 17, 2004

Present: A Cajigas, C Cimino, J David, M Delgado, A Fleckman, P Grossman, M Gumbs, R Hays, N Katz (chair), S Lomonaco, P Ozuah, J Hoffman-Rosenfeld, J Rubenstein, N Soto, H Steinman, M Witt, and Y Auguste.

Absent: JA Betances, G Kenny, S Moghtaderi, S Martin, S Jacoby, W Kasoff, C Kinsey, J Neiger, T Vu

Excused: N Juthani

Dr. Katz called the meeting to order. The minutes of the April meeting were distributed, reviewed, and accepted.

□ **Michael Tyberg**

Michael's academic record was distributed and reviewed; numerous exams were failed. He read a statement to the Committee, the thrust of which revolved around his family obligations and difficulties (grandmother's stroke). These were his reported mitigating factors in explaining and hopefully exonerating his poor record. His written statement is appended to these minutes.

Numerous incidents corresponded to different periods of exam failure. Committee members noted that Dr. David had under-counted the exam failures, making matters slightly worse.

The Committee, sympathetic up to a point, took a position of not accepting this extended pattern of exam failures. Several Committee members voiced the principle that personal responsibilities (to family, to spouse), would be increasing in the coming years – not decreasing. And that we all face the challenge of meeting our professional obligations despite our personal travails.

The Committee voted 8 to 3 to withdraw Michael from the medical school program. An appeal is anticipated.

X-Authentication-Warning: webmail.aecom.yu.edu: nobody set sender to mtyberg@aecom.yu.edu using -f
Date: Thu, 1 May 2003 18:08:26 -0400
From: mtyberg@aecom.yu.edu
To: david@aecom.yu.edu, steinman@aecom.yu.edu
Subject: MCFM makeup exam
User-Agent: Internet Messaging Program (IMP) 3.1
X-Originating-IP: 129.98.45.220

~~ATTACHMENT~~
~~ATTACHMENT~~
1d

Hi, how are you? I hope that all is well with you.

This letter is regarding the makeup exam scheduled for May 2nd. Due to a misunderstanding on my part I was under the impression that the exam was scheduled for the 9th of May. I only became aware of the right time last night. It goes without saying that I am deeply perturbed about this situation as it means that it will effect my performance drastically on the exam. Please take this into account when you are evaluating my score. I am very sorry that this has happened and notwithstanding this unfotunate turn of events I am still giving my all into learning the material, as I always do. Thank you so much for understanding.

Sincerely,
Michael Tyberg

Committee on Student Promotions and Professional Standards

TO: Members,
Committee on Student Promotions and Professional Standards

FROM: Nadine Katz, MD (Chair) ^{NK}
Jimmy David, MD

DATE: August 12, 2004

RE: MINUTES of Committee Meeting of July 19, 2004

PRESENT: August Y-L, Cimino C, David J, Delgado M, Grossman P, Katz N, Kennedy G,
Lomonaco S, Rubenstein J, Soto N, Steinman H, Witt M

Upon arrival, the assembled were distributed a substantial amount of paperwork to read/review. Some 20+ minutes later, the meeting was actually called to order by the Chair, having allowed a preparatory review of the documents relevant to the meeting's agenda.

☐ Michael Tyberg

From the 7/19/04 agenda: *Michael returns to the Committee after his appearance at the Committee's May meeting. At that time, it was recommended that he be withdrawn from the medical school program.*

From the letter sent Michael after the May meeting: *"At the May 17 meeting, the Committee reviewed your academic record, and was alarmed at the number of failed exams to date. You spoke to the assembled, offering extenuating circumstances of a personal nature. I am sorry it came as such a shock – but the Committee has made an initial, provisional recommendation that you be withdrawn from the medical school program. The number of failed exams is the crux of the matter, as you know, as is the extended period over which this occurred. In other words, it was not a short period of difficulty."*

The Committee again heard from Michael, who read an extended written statement which forcefully expressed his commitment to becoming a physician and which cast his prior difficulties as just that, "in the past." His wife spoke to the Committee, as well. The couple both agreed that mitigating circumstances included an ill family member, commuting from Brooklyn, getting married during the academic year, continuing to commute from Brooklyn after the marriage, and a lack of appreciation of the institutional standards with regard to failing exams. Michael had entered counseling and the couple had done so, as well. Both disclosed that recent exam difficulties were compounded by friction at home.

The Committee was divided in its opinions regarding Michael's future prospects in light of his past failures. Several members pointed out that family obligations do not evaporate upon entering medicine and that failing such a great many exams could not be overlooked on the basis of "mitigating circumstances" that were, if examined, part and parcel of many of our lives: ill relatives, marriages, commuting, and similar. Some pointed out that Michael's academic abilities were such that he could not manage the academics by a wide margin – even at baseline – so any added distractive burden led to frequent failures. This latter view, it was said, would be tested were he allowed to continue on a probationary basis.

One member emphasized that the stresses "of life" would increase (not decrease) with time; that with time even closer family members fall ill; that beginning a family adds demands; and that with entering medical practice the stakes go up dramatically – from passing exams to patients' lives. Another member expresses that the issue of Michael's lack of judgment and maturity. He maintained a lifestyle (despite piling up failed exams) that included many hours of commuting to Brooklyn, weekends with his recuperating Grandmother (who he reports was lonely, not so much ill for much of the time), a wedding during a brief mid-Winter school break, and a reluctance to reduce his courseload until emergently needed. This constellation of "decisions" reflected as much or more about how Michael "handled" circumstances than it derives purely from the events, in and of themselves.

Some proposed a mandated leave of absence – expecting a quick return to lead to quick failure. Some objected to this "parental" or "paternalistic" use of Committee authority. Some proposed mandatory psychotherapy, and others objected, again, recommending that Michael be free to make his own decisions – that there was no "illness" or such to provoke these types of mandates.

A motion was finally proposed and carried which permitted Michael to return to the medical school curriculum, by a relatively narrow 2-vote majority. He was expected (not required) to continue psychotherapy, he was not to fail any exams or other academic expectations (no grade below "pass"), he was not to provoke any "attendance-related" concerns or difficulties especially with regard to exams -- any of these or otherwise marginal performance was to provoke return to the Committee and potentially be grounds for dismissal at that point.
